

# *Town of Canandaigua*

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

*Established 1789*

## **ZONING LAW DETERMINATION**

**PROPERTY OWNER:** SUMMIT PPX 2911, L P.  
**PROPERTY ADDRESS:** 3400 POPLAR BEACH RD  
**TAX MAP NUMBER:** 98.15-1-1.100  
**ZONING DISTRICT:** RLD

### **DETERMINATION REFERENCE:**

- Application for Area Variance, dated 12/14/2018. Received for review by Town on 12/14/2018.
- As Built Breakwall Survey titled "Summit PPX 2911. L.P." by Venezia Land Surveyors and Civil Engineers, dated 04/09/2015, no revisions noted, received by the town on 12/14/2018.

### **PROJECT DESCRIPTION:**

- Owner constructed a breakwall prior to receiving necessary approvals.
- Applicant seeks necessary approvals for breakwall construction within the RLD.

### **DETERMINATION:**

- Per Town of Canandaigua Town Code, according to the New York State Department of Environmental Conservation, Division of Environmental Permits, the mean high-water level is 689.40 feet (National Geodetic Vertical Datum of 1929).
- Rear setbacks shall be measured from the mean high-water mark.
- Proposed structure (breakwall) has 0 ft. Rear Setback when 15 ft. Rear Setback is required.

### **REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:**

- This application is not required to be reviewed by the Ontario County Planning Board, as it relates to variance and Site Plan approval within 500 feet of a Recreation Area (Canandaigua Lake).

### **REFERRAL TO ZONING BOARD of APPEALS FOR:**

- Application received for 15 ft. Rear Setback variance.

### **REFERRAL TO PLANNING BOARD FOR:**

- Before Building Permits are issued, Planning Board Site Plan Approval is required.

**CODE SECTIONS:** Chapter §1-17; §220-9; §220-21; §220-64

**DATE:** 12/27/2018

**BY:** *Eric A Cooper*  
Eric Cooper – Zoning Inspector

**CPN- 18-088**

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder  
Property File  
Property Owner  
Town Clerk

